

REMARKS

By this Amendment, Applicant amends claims 1, 2, 5, 6, 9, 10, and 11. Applicant also cancels claims 3, 4, 7, 8, and 12 without prejudice and disclaimer of the subject matter thereof. Claims 1, 2, 5, 6, 9, 10, and 11 are currently pending.

In the Office Action, the Examiner objected claims 7 and 12 as being dependent upon a rejected base claim, but indicated that claims 7 and 12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner rejected claim 10 under 35 U.S.C. § 112, second paragraph, as indefinite; rejected claims 1-5 and 8-10 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,898,928 to Karlsson et al. ("Karlsson") in view of U.S. Patent No. 6,700,875 to Schroeder et al. ("Schroeder"); and rejected claims 6 and 11 under 35 U.S.C. § 103(a) as unpatentable over Karlsson in view of Schroeder and further in view of U.S. Patent No. 6,240,126 to Ohashi et al. ("Ohashi").¹

Applicant thanks the Examiner for pointing out the allowable subject matter of claims 7 and 12. Applicant respectfully traverses the Examiner's rejections under both § 103 and § 112. However, to expedite the prosecution of this application, Applicant has amended independent claims 1 and 9 to incorporate portions of allowable claims 7 and 12, respectively, with additional amendments, which Applicant submits renders claims 1 and 9 patentable over the combination of Karlsson and Schroeder applied by the Examiner. Applicant therefore respectfully submits that amended claims 1 and 9 are allowable over the prior art of record. Accordingly, Applicant respectfully requests

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

withdrawal of the rejections under 35 U.S.C. § 103. Because claims 2, 5, and 6 depend from claim 1; and claims 10 and 11 depend from claim 9, claims 2, 5, 6, 10, and 11 are also allowable for at least the reason of being dependent on an allowable base claim. Accordingly, Applicant also requests withdrawal of the rejection of claims 2, 5, 6, 10, and 11.

Regarding the rejection of claim 10 under 35 U.S.C. § 112, second paragraph, Applicant has amended claim 10 to not recite "a detecting unit." The Section 112 rejection of claim 10 is therefore moot. Further, because claims 3, 4, 7, 8, and 12 have been canceled, the rejection of claims 3, 4, and 8 and the objection of claims 7 and 12 are also moot.


In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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